

Federal Defenders
OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

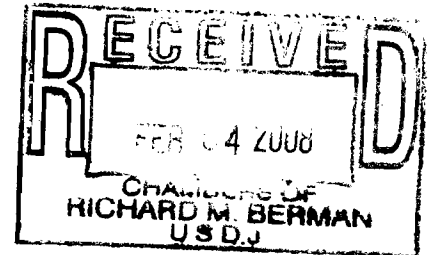
Leonard F. Joy
Executive Director

MEMO ENDORSED
February 3, 2008

Southern District of New York
John J. Byrnes
Attorney-in-Charge

BY HAND

Richard M. Berman
United States District Judge
For the Southern District Of New York
500 Pearl Street
New York, New York

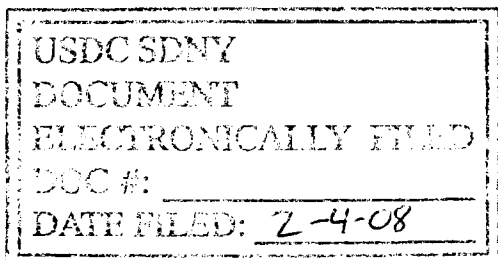


Re: United States v. Phillip Shaw
Crim. Dkt. 07 Cr. 01093 (RMB)

The Hon. Berman

I am writing to request for an adjournment of the February 5, 2008, status conference on the above matter. I make this request as the parties are trying to work out a disposition on this case. Mr. Shaw's mental health history is relevant to the plea negotiations, and I need time to speak to his care providers so as to get his medical records. I ask the court to adjourn the status conference for about 4 weeks.

To that end, we request that the time between February 5, 2008 and the next date set by the Court, be excluded under the Speedy Trial Act, pursuant to Title 18, United States Code, section 3161(h)(8)(A). Excluding time will best serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial, because it will allow the government and defense counsel to continue discussions regarding a possible disposition in the matter. Thank you.



cc: AUSA Lester
Philip Shaw, MCC

Application for an adjournment
is granted until 3-5-08 at 10:30am
Respectfully submitted, Time is excluded
pursuant to the
Speedy Trial Act for
the reasons set forth in this letter.
SO ORDERED:
Date: 2-4-08 Richard M. Berman
Richard M. Berman, U.S.D.J.